

REMARKS

The Pending Claims

Claims 1-10, 13-21, 25, and 29-37 currently are pending. Claims 1-10 and 13-21 are directed to a method for producing a polishing pad. Claims 25 and 29 are directed to a polishing pad. Claims 30-37 are directed to a method of polishing a substrate.

Discussion of the Claim Amendments

Claims 1, 25, 30, and 34 have been amended to more particularly point out and distinctly claim the subject matter which Applicants regard as their invention. In particular, claims 1 and 30 have been amended to recite that the polishing pad produced by the recited method comprises a substantially opaque region that is provided by a non-compressed region of the porous polymer structure, thereby incorporating the subject matter of claims 11 and 12. In view of the amendment of claim 1, claims 11 and 12 have been canceled. Claim 25 also has been amended to incorporate the subject matter of claim 28. Accordingly, claim 25 now recites a polishing pad comprising a porous polymer structure, the pad comprising a region that is at least translucent and a substantially opaque region, wherein the translucent region is sufficiently porous to absorb or transport a polishing slurry, and wherein at least a portion of the substantially opaque region of the polishing pad is provided by a non-compressed region of the porous polymer structure. Claims 26-28 have been canceled in view of the aforementioned amendment to claim 25. Claim 34 has also been amended to specify that the polishing pad comprises a porous polymer structure, the pad comprising a region that is at least translucent and a substantially opaque region, wherein the translucent region is sufficiently porous to absorb or transport a polishing slurry, and wherein at least a portion of the substantially opaque region of the polishing pad is provided by a non-compressed region of the porous polymer structure. These amendments are supported by the claims as originally filed and the specification, for example, at paragraphs [00014], [00015], and [00020]. No new matter has been added by way of these amendments.

Summary of the Office Action

The Office Action rejects claims 1, 2, 7-11, 13, 15-16, 18-20, 22-27, and 29-37 under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent 6,537,134 (Newell) (hereinafter "the Newell '134 patent"). The Office Action also rejects claims 3-6 and 21 under 35 U.S.C. § 103(a) as allegedly obvious over the Newell '134 patent. The Office Action acknowledges that claims 12, 14, 17, and 28 recite allowable subject matter, but objects to the claims insofar as they depend from one or more rejected base claims.

Discussion of the Rejections


As noted above, claims 1 and 30 have been amended to incorporate the subject matter of claims 11 and 12, the latter of which the Office Action acknowledges as being patentable over the prior art of record. Insofar as claims 1 and 30 have been amended to incorporate subject matter that the Office Action acknowledges as being patentable over the prior art, the section 102 and 103 rejections of claims 1-10, 13-21, and 30-33 have been rendered moot and should be withdrawn.

Furthermore, claims 25 and 34 have been amended to incorporate the subject matter of claim 28. Insofar as the Office Action indicates that claim 28 is patentable over the cited references, claims 25 and 34 now recite subject matter that is patentable over the prior art of record. Therefore, the section 102 rejection of claims 25 and 34 has been rendered moot and should be withdrawn.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



John Kilyk, Jr., Reg. No. 30,763
LEXDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: July 19, 2004